

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

The Annuity, Pension, Welfare and Apprenticeship  
Skill Improvement & Safety Funds of the  
International Union of Operating Engineers Local  
137, 137A, 137B, 137C & 137R et al.

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

ACK Management Corp.

08 CIV. 5350

TO: (Name and address of defendant)

ACK Management Corp.  
649 Wilmot Road  
Scarsdale, New York 10583

BRIEANT

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

BRADY McGUIRE & STEINBERG, P.C.  
603 WARBURTON AVENUE  
HASTINGS-ON-HUDSON, NEW YORK 10706

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. Michael McMahon

CLERK

CLERK

JUN 11 2008

DATE

(BY) DEPUTY CLERK

STATE OF NEW YORK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

DOCUMENTS SERVED WITH INDEX# 08CIV.5350

AND FILED ON

6/11/2008

THE ANNUITY, PENSION, WELFARE AND APPRENTICESHIP SKILL IMPROVEMENT &  
SAFETY FUNDS OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL  
Vs.  
ACK MANAGEMENT CORP.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF: NEW YORK )

COUNTY OF WESTCHESTER )

SS

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 6/19/2008 at 4:25PM, deponent did serve the within process as follows:

Process Served:

SUMMONS AND COMPLAINT

Party Served:

ACK MANAGEMENT CORP.

(herein called recipient)  
therein named.

At Location:

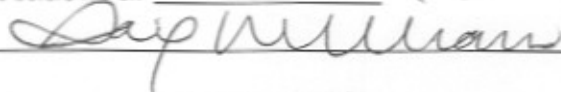
68 GAYLORD ROAD

SCARSDALE NY 10583

By delivering to and leaving with BEN ACOCCELLA and that deponent knew the person so served to be the MANAGING AGENT of the corporation and authorized to accept service..

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: M Color of Skin: WH Color of Hair: GRAY  
Age: 68 Height: 5'8"  
Weight: 180 Other Features:

Sworn to before me on 6/20/2008


GAIL WILLIAMS  
Notary Public, State of New York  
No. 4665052  
Qualified in Westchester County  
Commission Expires September 30, 2010

  
Joseph Vallone

Server's License#: 1100190